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## SENATE BILL No. 85

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-15-8-8.

**Synopsis:** Medicaid attorney's fees. Reduces the amount of attorney's fees the office of Medicaid policy and planning is required to pay for Medicaid lien collection cases.

**Effective:** July 1, 2009.

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### Miller

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January 7, 2009, read first time and referred to Committee on Health and Provider Services.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## SENATE BILL No. 85

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 12-15-8-8, AS AMENDED BY P.L.236-2007,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2009]: Sec. 8. ~~(a) This section does not apply to a lien on a~~  
4 ~~Medicaid recipient's real property under IC 12-15-8.5.~~  
5 ~~(b) This section applies only to a lien on a recovery under section 1~~  
6 ~~or section 2 of this chapter.~~  
7 ~~(c) The office shall pay attorney's fees in the amount of one (1) of~~  
8 ~~the following:~~  
9 (1) ~~Twenty-five~~ **Seven and five-tenths percent (7.5%)** of  
10 the office's recovery under the lien if the claim was collected  
11 without initiating legal proceedings.  
12 (2) ~~Thirty-three and one-third~~ **Ten percent (10%)** of  
13 the office's recovery under the lien if the claim was collected by  
14 initiating legal proceedings.



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